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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/828,715

04/06/2001

Christine W. Jarvis

WLG-1

5602

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DORITY & MANNING, P.A.  
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EXAMINER

RHEE, JANE J

ART UNIT

PAPER NUMBER

1795

MAIL DATE

DELIVERY MODE

05/13/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* CHRISTINE W. JARVIS,  
ROBERT E. BENNETT,  
AND BRIAN FREDERICK

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Application No. 09/828,715  
Technology Center 1795

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Mailed: May 13, 2009

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Before DELORES LOWE, Review Team Paralegal  
LOWE, Review Team Paralegal.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 22, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S ANSWER  
Status of Amendments

On March 13, 2008, an Examiner's Answer was entered to the record. On page 2, the examiner stated that "[t]he appellant's statement of the status of amendments after final rejection contain in the brief is correct". However, on October 31, 2007, the appellants filed an amendment after final mailed on June 1, 2007, canceling claims 124-125, which was considered by the examiner in an advisory action mailed on November 15, 2007. A review of the file reveals that the examiner maintained the previous rejection. A clarification of the response is required. The Examiner shall notify the appellants, in writing whether or not the amendment after final filled on October 31, 2007 has been entered.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for clarification of whether there is or is not to be entry of the amendment filed on October 31, 2007; and
- 2) for such further action as may be appropriate.

Application No. 09/828,715

If there are any questions pertaining to this Order, please contact the  
Board of Patent Appeals and Interferences at 571-272-9797.

/DAL/

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